



Order Filed on February 2, 2024  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

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In Re:

**Cheryl Lynn Hall,**

**Debtor.**

Case No.: 23-18211-RG

Chapter: 13

Hearing Date: January 17, 2024

Judge: Rosemary Gambardella

**ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF FROM THE  
AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby  
ORDERED.

**DATED: February 2, 2024**

A handwritten signature in cursive script, reading "Rosemary Gambardella".  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

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THIS MATTER having come before the Court on the Creditor's Motion for Relief from the Automatic Stay of U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 ACQUISITION TRUST ("Secured Creditor") by and through its counsel, Robertson, Anschutz, Schneid, Crane & Partners, PLLC, as to the real property commonly known as 87 Westervelt Pl, Teaneck, New Jersey 07666 (the "Subject Property"), and Nicholas Fitzgerald, Esquire representing Cheryl Lynn Hall ("Debtor(s)"), and for good cause it is ORDERED that Secured Creditor's Motion for Relief from the Automatic Stay is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 04 months from October 01, 2023 through January 01, 2024.
- The Debtor is overdue for 04 payments from October 01, 2023 through January 01, 2024 at \$1,720.37 per month.

Funds Held In Suspense \$1,200.00

Total Arrearages Due \$5,681.48

2. Debtor must cure all post-petition arrearages, as follows:

- Debtor is required to sell the Subject Property by March 30, 2024 (the "Deadline") unless an extension of the Deadline is otherwise agreed between the parties. Any sale of the Subject Property is subject to Secured Creditor's lien being paid in full from the proceeds of said sale, pursuant to an updated payoff statement to be provided by Secured Creditor at or near the time of closing.

3. In the event of Default:

- Secured Creditor shall not demand the remaining post-petition arrears pending the successful sale of the Subject Property. However, should the Debtor fail to sell the Subject Property by the Deadline and/or the current bankruptcy case is dismissed prior to the Deadline, the automatic stay imposed herein by 11 U.S.C. Section 362(d) shall permanently expire on April 1, 2024 via Application Vacating Stay unless Secured Creditor agrees, in writing, to extend the same. On April 1, 2024, upon submission of the Application Vacating Stay, the automatic stay shall be prospectively and permanently vacated and lifted. As such, any subsequent attempt(s) by the Debtor to reimpose said stay shall be null and void notwithstanding any subsequent application or the filing of any subsequent bankruptcy or other state Court insolvency proceedings, voluntarily or involuntarily, by the debtor or anyone filing by, through or under the debtor.
- In the event a Certification of Default is required by the Court due to Debtor's failure to sell the subject property by the Deadline, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and Debtor's attorney and the court shall enter an Order granting relief

from the Automatic Stay. Debtor shall pay \$200.00 for each certificate of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Order.

4. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$525.00 and costs of \$199.00. These costs are payable through the Chapter 13 Plan.